




1 Kevin N. Anderson  
 2 Nevada Bar No. 4512  
 3 David R. Hague  
 4 ~~Entered on Docket~~  
 5 December 21, 2011  
 6 ENDENIN

Honorable Linda B. Riegle  
 1 Eric D. Madden, TX B.  
 2 United States Bankruptcy Judge, TX I  
 3 Jacob J. Roberts, TX B.  
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30 **UNITED STATES BANKRUPTCY COURT**  
 31 **DISTRICT OF NEVADA**

32 In re:

33 THE RHODES COMPANIES, LLC, aka  
 34 "Rhodes Homes," et al.,

35 Reorganized Debtors

36 Case No.: 09-14814-LBR  
 37 (Jointly Administered)

38 Chapter 11

39 **ORDER APPROVING STIPULATION**  
 40 **TO VACATE HEARING ON MOTION**  
 41 **TO STAY**

42 Hearing Date: January 6, 2012  
 43 Hearing Time: 9:30 AM  
 44 Place: Courtroom 1

45  Affects all Debtors

46  Affects the following Debtors

1           The Court, having considered the *Stipulation to Vacate Hearing on Motion to Stay* (the  
2 "Stipulation") entered into by and between James M. Rhodes ("Rhodes"), by and through his  
3 undersigned counsel, and the Litigation Trust of The Rhodes Companies, LLC, et al. (the  
4 "Litigation Trust"), through their undersigned counsel, (collectively referred to hereinafter as  
5 the "Parties"); and for good cause appearing therefor:

7           **IT IS HEREBY ORDERED AS FOLLOWS:**

8           1.       The Stipulation is hereby approved; and

9           2.       The hearing on the *Motion to Stay the Order Denying Motion to Quash Rule 2004*  
10          *Examinations and Corresponding Subpoenas*, which was filed on November 9, 2011, currently  
11          scheduled for January 6, 2012 at 9:30 a.m. (PST) is hereby vacated.

12          **SUBMITTED BY:**

13          **FABIAN & CLENDENIN**

14          \_\_\_\_\_  
15          /s/ David R. Hague

16          Kevin N. Anderson  
17          Nevada Bar No. 4512  
18          David R. Hague  
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23          Attorneys for James M. Rhodes

16          **APPROVED BY:**

17          **DIAMOND MCCARTHY LLP**

18          \_\_\_\_\_  
19          /s/ Eric D. Madden (with permission)

20          Eric D. Madden, (*pro hac vice*)  
21          Michael J. Yoder, (*pro hac vice*)  
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28          The Rhodes Companies, LLC, et al.

1                   **LAW OFFICE OF BRIAN SHAPIRO**  
2  
3                   /s/ Brian D. Shapiro (with permission)  
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9                   *Local Counsel for the Litigation Trust of*  
10                  *The Rhodes Companies, LLC, et al.*

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## **CERTIFICATE OF SERVICE**

I hereby certify that on the 20<sup>th</sup> day of December, 2011, I caused the foregoing document to be filed electronically via the electronic filing system of the United States Bankruptcy Court for the District of Nevada, which caused a true and correct copy of the foregoing to thereafter be served electronically via the Bankruptcy Court's ECF noticing system upon those parties registered to receive electronic service in this case.

/s/ David R. Hague

4812-5552-0270, v. 2